

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Administration of the ) CC Docket No. 92-237  
North American Numbering Plan ) Phase 1

REPLY COMMENTS OF  
OHIO LOCAL INTERCONNECTION EXCHANGE COMPANY

Pursuant to the Commission's Order in this proceeding, released January 8, 1993, Ohio Local Interconnection Exchange Company ("Ohio LINX"), by its undersigned counsel, hereby submits Phase 1 reply comments in the above-referenced proceeding.<sup>1</sup> While Phase 1 addresses a host of important issues, including the future administration of the North American Number Plan ("NANP"),<sup>2</sup> in these reply comments Ohio LINX responds only to comments made concerning local number portability made by one or more of the more than thirty parties who filed initial comments on or about December 28, 1992.<sup>3</sup>

<sup>1</sup> Ohio LINX did not file initial Phase 1 comments in this proceeding.

<sup>2</sup> Phase 1 NANP issues include who should administer the North American Numbering Plan, how numbering disputes can be resolved, what administrative or oversight mechanisms should be used, how the costs of NANP administration should be recovered. See Notice of Inquiry, CC Docket No. 92-237, CC 92-470, at paras. 3, and 22-35 (released Oct. 29, 1992) ("Notice").

<sup>3</sup> Initial comments, cited herein as "Comments," were filed by, among others, BellSouth Corporation ("BellSouth"); Bell Atlantic; Centel Corporation ("Centel"); GTE Service Corporation ("GTE"); MFS Communications Company, Inc. ("MFS"); McCaw Cellular Communications, Inc. ("McCaw"); NYNEX Telephone Companies ("NYNEX"); North  
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Ohio LINX was among the initial pioneering competitive access providers ("CAPs") to operate in the State of Ohio. Like other CAPs, it provides local telecommunications services, including point-to-point dedicated transmission services, in competition with local exchange companies ("LECs"). The existence of Ohio LINX is testimony to the demand of local business communities for innovative, reliable state-of-the-art telecommunication services to complement those existing services provided by monopoly utilities. Although Ohio LINX does not currently provide switched services, and would need to provide switched services before it would have a use for number portability, it, like other carriers, cannot even begin to prepare business plans for local switched services until it knows how the Commission intends to address number portability. Accordingly, as discussed below, Ohio LINX strongly encourages the Commission to expeditiously institute a rulemaking proposing number portability rules.

In their initial comments a number of the LECs argue that despite the obvious appeal of local number portability, it may not be feasible at this time, based upon speculation concerning its cost and the potential for technical impediments to its implementation. BellSouth, for example, argues that despite the "conceptual appeal" of number portability, that "there are no technically feasible solutions for implementing [number portability] within the

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<sup>3</sup>(...continued)  
Pittsfield Telephone Company ("NPTC"); Southern New England Telephone Corporation ("SNET"); and Southwestern Bell Corporation ("SWBT").

existing public switched network in the near term."<sup>4</sup> Other LECs rationalize the absence of number portability by pointing to the existence of services that provide similar functionalities, such as call forwarding and the ability to change interexchange carriers ("IXCs") without changing telephone numbers.<sup>5</sup> Both arguments attempt to marginalize the strong, evident consumer demand for number portability and to deflect attention away from the fact that we are already far past the point at which planning for local number portability should have begun.

Due in part to the proliferation of telephone services (and telephone numbers), and as evidenced by the demand for 800 portability, demand for local number portability, which will allow consumers to change local carriers while retaining a particular telephone number, is strong. Ohio LINX firmly believes that local number portability is essential to the development of future competition in local telecommunications services. As one CAP stated, it "is one of the most crucial foundations for future competition in local telecommunications services."<sup>6</sup>

While implementation of number portability will certainly entail costs, it is significant to note that no commenter in this proceeding provided a detailed analysis of the alleged costs.<sup>7</sup> The

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<sup>4</sup> BellSouth Comments at 16. See also Bell Atlantic Comments at 5 n.6; GTE Comments at 18-19; NPTC Comments at 3-4; NYNEX Comments at 9; SNET Comments at 8-9.

<sup>5</sup> See GTE Comments at 19.

<sup>6</sup> MFS Comments at 6.

<sup>7</sup> For example, SWBT's estimate that its costs of implementing number portability could exceed one half billion dollars, is entirely without supporting data. SWBT Comments at 13 n.18. In a  
(continued...)

Commission should not be dissuaded from planning for number portability by vague and speculative arguments (reminiscent of earlier LEC arguments opposing or seeking to delay local competition in general), that is unaccompanied by reliable analytic data.

The lack of reliable information regarding the costs of implementation argues strongly in favor of expeditiously establishing a rulemaking in which relevant information concerning both the costs and technical requirements associated with number portability are established. If number portability is to become a timely reality, centralized planning efforts by the Commission must begin now in order to make effective use of existing technology and to spur concentrated efforts toward developing new technologies appropriate for future needs.<sup>8</sup> Thus, the Commission should immediately issue a Notice of Proposed Rulemaking proposing rules providing for local number portability in the near term.<sup>9</sup> In such a proceeding the Commission should consider making number portabil-

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<sup>7</sup>(...continued)

similar vein, GTE argues that while local number portability is "extremely attractive" to both customers and CAPs, and while it "is aware that in the future it will be available," that planning for number portability at this time raises the specter of imposing "prohibitive" costs upon the industry. GTE Comments at 19.

<sup>8</sup> Ohio LINX applauds Ameritech's stated support for number portability and commitment to use new technologies, such as Advanced Intelligent Network, to develop number portability options, Ameritech Comments at 12-13, however individualized efforts cannot be expected to ensure timely implementation of nationwide or region-wide number portability.

<sup>9</sup> Due to the immediate need for number portability, Ohio LINX opposes suggestions that the issue of number portability be submitted to industry forums for "examination." See BellSouth Comments at 17. This is a prescription for delay and lack of effective action. As McCaw has stated, "the biggest problem with local number portability today is that no one is currently planning for it." McCaw Comments at 20.

ity initially available only in those major metropolitan areas in which telecommunications needs are the most concentrated. This will diminish the initial costs associated with number portability and provide additional time in which to plan for nationwide portability.<sup>10</sup>

#### CONCLUSION

For the foregoing reasons, the Commission should immediately initiate a Notice of Proposing Rulemaking designed to implement local number portability on an expedited basis within specific major metropolitan areas throughout the United States.

Respectfully submitted

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<sup>10</sup> See MFS Comments at 8 n.7 (proposing that number portability initially be applied only in selected geographic areas).

**CERTIFICATE OF SERVICE**

I hereby certify that on February 24, 1993, copies of the the foregoing document have been sent via hand delivery\* or first-class, postage-prepaid mail to persons on the attached service list.

  
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